

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

REGINALD DARNELL SHAW, JR.,
Defendant.

No. 2:16-cr-1011-LRR

NOTICE OF FILING EXHIBITS

COMES NOW the Defendant, by counsel, and hereby notices the filing of the attached exhibits designated A through B from the sentencing hearing held on 10/3/16.

Respectfully submitted,

Certificate of Service

The undersigned hereby certifies, under penalty of perjury, that a copy of the document to which this certificate is attached was served by the following:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> mailed | 5. <input type="checkbox"/> placed in party's box at clerk's |
| 2. <input type="checkbox"/> e-mailed | 6. <input type="checkbox"/> overnighted |
| 3. <input type="checkbox"/> faxed | 7. <input checked="" type="checkbox"/> VIA EM/ECF |
| 4. <input type="checkbox"/> hand-delivered | |
- to the party/ies or attorney/ies listed below at his/her/their address(es) of record or listed below on 10/3/16. If served by mail, said document was sealed in an envelope and deposited on said date in a U.S. Postal depository with postage, fully paid, in Cedar Rapids, Iowa.

Signed: /s/ David Nadler

/s/ David Nadler

DAVID NADLER LI1008290

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ATTORNEY FOR DEFENDANT

cc:

7. Tim Vavricek, Assistant U.S. Attorney

1. Defendant

AFFIDAVIT OF Truth

CN:01311FecR1774
CN:01311FecR1774

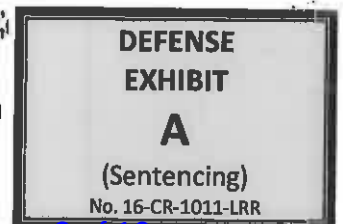
ON said Date 12/05/2015 I Was Arrested and Charged With Dominion/control of firearm/ Off Weapon & v Dorm Abuse offender, carrying Weapons and Possession of a controlled Substance With Intent to Distribute. Heather M. Duffy 01/10/1986 gave a Statement to Investigator Nick Schlosser that the firearms found in

her vehicle belonged to Camron A. Pete 04/28/1992. In my initial Statement to the

Arresting officer I gave a Statement that the guns found in Heather's vehicle

Were my guns; That Statement was given Out of fear, because Camron Pete was Sitting in the back seat with the tanks 9mm loaded. I Did Not want me or Heather to get shot so my initial Statement was given Out of fear for me and Heather's

Safety. I feel that the Affidavit that Was given to me by the Clerk of District Court is missing a few parts such as, When I met with investigator Schlosser



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Not ONLY DID I tell him those guns were not mine but I also told him where Camron got the guns from. Two out of the three the taurus 9MM and the High point 9MM are both registered under the name Landon Love. Landon Reported the taurus 9MM stolen as soon as Camron bought it from him. How I know is because he told Camron and I was right there. Now The High point 9MM was reported lost after a day or two Camron bought that one as well. The

Reason I know this is because the investigator Mr. Schlosser told me. Now Landon and Camron are good friends, they have been for a long time. If you look on Camron's Facebook page (Cam Stuart Montana) you will see

that they were just recently hanging out for New Years. I have never met Landon before Camron brought me up here, when I was brought here I had no money barely any clothes guns are not free there is no way I bought them guns at all. Camron sells weed and alot of IT he is where I got my little weed from. I only had eleven bags that I was going to smoke most of it anyway and maybe sell like

A day or two, I Take Full Responsibility for
 the work in my Pocket, I ALSO told Mr. Scholasser
 Where Cameron got the Ruger 9MM From
 With the long clip, I explained that Cameron
 had possession of The gun used in the Angela
 Apartment's Shooting And We went to Mattwoken
 So he can trade the High Point 45 for the
 Ruger 9mm with the long clip included. Now
 You are probably wondering where he got that
 High Point 45 from Well Cameron has this Dealer
 His Name is Justin and he lives in the
 Angela Apartments and some boy by the
 Name of PS tried to rob him pretty much
 what happened is Justin and PS was tussling
 And PS ended up shooting himself and
 Justin ended taking the gun from him How
 I know this is because Justin came that morning
 And told Cameron and me and later on that day
 Cameron ended up with the gun from that Incident
 Now as for as the guy who traded the ruger
 9 MM for the High Point 45. I Do Not Know
 his name but The investigator Mr. Scholasser
 had me look at a line-up of Potential Persons
 of Interest and I had my eye on one guy
 In that lineup but I wasn't too sure
 So Nick told me and my lawyer Chris Welch
 That he was going to bet a lineup with color
 And that he was going to get back with us but
 he never did

7)

NOW I ALSO TOLD NICK ABOUT WHAT HAPPENED
ON SPRUCE WHICH I WAS THERE NOW LET ME
JUST SAY I DID DRIVE THERE BUT I DID NOT KNOW
THAT CAMRON WAS GOING TO DO THAT HE MADE IT SEEM
LIKE WE WAS GOING TO GO OVER THERE AND JUST
TALK TO ROB NOW BEFORE I GO INTO THAT LET ME
TELL YOU WHY I HAD THE HIGH POINT IN MY
POSSESSION CAMRON ALWAYS 9 TIMES OUT OF 10
HAS THEM GUNS (HIGH POINT, RUGER, TOWNS) ON
HIM WHY? I DON'T KNOW NOW IF I'M WITH
HIM HE WOULD LET ME HOLD ON TO THE HIGH POINT
BUT AT THE END OF THE DAY I WOULD ALWAYS
GIVE IT BACK TO HIM BECAUSE THEY ARE HIS OVERALL.
NOW GOING BACK TO WHAT HAPPENED I'M WRITING DOWN
THE HILL CAMRON IS WAY BEHIND ME IN MY HEAD
I'M LIKE WHAT IS HE DOING I GET KIND OF BY
THE HOUSE I HEAR SHOTS I GET SCARED BECAUSE

I DON'T KNOW WHERE SHOTS ARE COMING
FROM I LOOK UP THE HILL AND I SEE CAMRON
SHOOTING LIKE HE IS JAMES BOND AND HE SCREAMS
OUT WHAT IS YOU DOING? I FELT SCARED AT THE MOMENT
SO I JUST POINTED AT THE HOUSE BUT I SWEAR I CAN PUT
MY HAND ON THE BIBLE AND TESTIFY THAT I DID NOT
FIRE NOT ONE SHOT NOR DID I INTEND TO AT ALL.

THE ONLY REASON I POINTED BECAUSE I FELT LIKE
CAMRON WOULDVE SHOT ME IF HE FELT LIKE I
WASN'T DOWN WITH HIM. I RELIZED EVERYTHING
I HAVE DONE HAS NOT BEEN PERFECT, BUT
I CAN'T ALLOW MY LIFE TO BE CONTROLLED BY FEAR

5)
If I Really Want to Change the Direction
Of my life.

I Am asking that the Courts Respond
to My Affidavit of truth within (10)
Days or Drop the Charges of Dominion/
Control of firearm/off Weapon by DOM Abuse
offense and carrying weapons and my going
Armed with Intent to an Accessory.

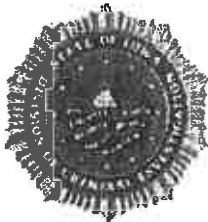
Reginal D. D. R.

signed before me this 19th day of
January, 2016



Notary





Official Report Of
Iowa Department of Public Safety
DCI Criminalistics Laboratory
2240 South Ankeny Boulevard
Ankeny, Iowa 50023-9093
(515) 726-1500

2016-00575 Report 1
LAB CASE NUMBER

10/17/2016
REPORT DATE

Firearms / Toolmarks
Examination Report of
Victor M. Murillo

See Code of Iowa Section 591.2 Presumption of qualification - evidence - testimony. "It shall be presumed that any employee or technician of the criminalistics laboratory is qualified or possesses the required expertise to accomplish any analysis, comparison, or identification done by the employee's employment in the criminalistics laboratory. Any report, or copy of a report, or the findings of the criminalistics laboratory shall be received in evidence, if determined to be relevant, in any court, preliminary hearing, grand jury proceeding, civil proceeding, administrative hearing, and forfeiture proceeding in the same manner and with the same force and effect as if the employee or technician of the criminalistics laboratory who accomplished the requested analysis, comparison, or identification had testified in person..."

AGENCY: Dubuque Police Department
AGENCY CASE NUMBER: 2016-010983
CASE OFFICER: Nicholas Schlosser
SUSPECT(S): Reginald Darnell Shaw
Camron Andrew Pete
CASE TYPE: Weapon Offenses
OFFENSE DATE: December 1, 2015
VICTIM(S):

Firearms / Toolmarks Examination Report

ITEMS AS DESCRIBED BY SUBMITTING AGENCY:

On January 07, 2016, Jeremy Mootz with Dubuque County Sheriff's Office submitted the following item(s) to Kathleen Kinseth (DCI Lab):

Lab #	Agency #	Description
1	1	Ruger 9mm handgun Model# 9E serial# 335-55300 with magazine containing 27 rounds.
2	2	Hi-point 9mm Model# C9 serial# p1758713 with magazine containing 8 rounds.
3	3	Taurus 9mm Model# millennium PT 111PRO serial# TEU86882 with magazine containing 11 rounds.
4	4	Ruger 9mm magazine containing 7 rounds.
5	5	Hornady box with 3 live R&P Luger 9mm rounds.
6	6	Bullet fragment found in 611 University, Dubuque Iowa.
7	7	9mm Hornady spent casing.
8	8	9mm Hornady spent casing.
9	10	9mm Hornady spent casing.
10	11	9mm Hornady spent casing.
11	12	9mm Hornady spent casing.
12	13	9mm Hornady spent casing.
13	14	9mm W.I.N spent casing.
14	15	9mm Hornady spent casing.
15	16	9mm Hornady spent casing.
16	17	9mm Hornady spent casing.
17	9	9mm Hornady spent casing.

DEFENSE
EXHIBIT

B

(Sentencing)
No. 16-CR-1011-LRR

RESULTS OF FIREARMS / TOOLMARKS EXAMINATION BY: Victor M. Murillo

1,4 The Ruger Model 9E, 9mm Luger semiautomatic pistol, bearing serial number 335-55300 (Item 1) was examined and test fired. The resulting test fired bullets and cartridge cases were recovered for comparison purposes. The test fired bullets and cartridge cases will be retained in the firearms section of the laboratory for a minimum of five years, until they are destroyed. The Ruger pistol was in good physical condition and mechanically functioned as the manufacturer intended. The pistol was submitted with one extended Pro-Mag magazine which intermittently functioned in the Ruger pistol. The magazine was slightly modified to fit in the

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CML

Dubuque
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Ruger pistol and would cause the internal trigger bar to not move correctly. The trigger sometimes had to be manually reset to fire an additional shot. The magazine was submitted with twenty-seven (27) Winchester and Hornady 9mm Luger cartridges.

The Ruger magazine (Item 4) was also examined and functioned and fit in the Ruger pistol (Item 1).

- 1 vs. 13 The one (1) fired Winchester 9mm Luger cartridge case (Item 13) was identified as having been fired in the Ruger pistol (Item 1).
- 2 The Hi-Point CP, 9mm Luger semiautomatic pistol, bearing serial number P1758713 (Item 2) was examined and test fired. The resulting test fired bullets and cartridge cases were recovered for comparison purposes. The test fired bullets and cartridge cases will be retained in the firearms section of the laboratory for a minimum of five years, until they are destroyed. The Hi-Point pistol was in good physical condition and mechanically functioned as the manufacturer intended. The pistol was submitted with one loaded eight-round magazine which fit and functioned in the Hi-Point pistol. The magazine contained eight (8) Aguila and Remington-Peters 9mm Luger cartridges.
- 3 The Taurus Millennium PT111 Pro, 9mm Luger semiautomatic pistol, bearing serial number TEU86882 (Item 3) was examined and test fired. The resulting test fired bullets and cartridge cases were recovered for comparison purposes. The test fired bullets and cartridge cases will be retained in the firearms section of the laboratory for a minimum of five years, until they are destroyed. The Taurus pistol was in good physical condition and mechanically functioned as the manufacturer intended. The pistol was submitted with one loaded twelve-round magazine containing seven (7) Aguila and four (4) Remington-Peters 9mm Luger FMJ cartridges.
- 3 vs. 7-12, 14-17 The ten (10) fired Hornady 9mm Luger cartridge cases (Items 7, 8, 9, 10, 11, 12, 14, 15, 16 and 17) were identified as having been fired in the Taurus pistol (Item 3).
- 1,3 vs. 6 The one small fired copper-jacketed lead bullet fragment (Item 6) was examined and weighed 11.0 grains and reflected one land with a right-hand twist. The rifling information on the bullet fragment was similar in class characteristics to the rifling on the test fired bullets from both of the pistols (Items 1 and 3). The results of the microscopic examinations and comparisons between the fragment (Item 6) and the pistols (Items 1 and 3) were inconclusive.
- Images of one of the test fired cartridge cases (Items 1, 2 and 3) were entered and searched in the National Integrated Ballistics Information Network (NIBIN) databases in Iowa, Illinois and Nebraska, resulting in no matches at this time. The images will be retained in the NIBIN databases for future correlations. The fired bullets do not meet laboratory criteria for NIBIN entry. The laboratory's current NIBIN system is not capable of capturing bullet images.
- 5 The one box of Hornady Critical Duty 9mm Luger ammunition (Item 5) was noted to possess three (3) Remington-Peters 9mm Luger FMJ cartridges.

DISPOSITION OF EVIDENCE

The examined items will be returned to the submitting agency under separate cover.

This report may contain opinions, conclusions or interpretations of the examiner whose signature appears below.

Victor M. Murillo

Victor M. Murillo, Criminalist

**IOWA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION
LABORATORY RECEIPT**

Assigned Date/Time: January 07, 2016 15:02:00

Case Number: 2016-00575

Crime: **Weapon Offense**

Date of Occurrence: 12/01/2015

Location of Offense: 611 University #1

How Received at Lab: Hand Delivered

Submission Case Officer: **Nicholas Schlosser**

Submission Agency: **Dubuque Police Department**

Submission Agency Case #: 2015-010983

Name of Case Officer(CO): **Nicholas Schlosser**

Agency Name: **Dubuque Police Department**

Co E-mail Address: **nschloss@cityofdubuque.org**

Agency Phone: 563-589-4411

Agency Case #: 2015-010983

Delivery Officer: **Jeremy Mootz**

Agency of D.O.: **Dubuque County Sheriff's Office**

Name Type	Name	Race	Sex	DOB	ID
S	Shaw, Reginald Darnell	B	M	09/25/1991	DCI# - 01034092 SSN# - 356882221 FBI# - IA01034892 DL# - S0007249134504
S	Pete, Camron Andrew	B	M	04/28/1992	DCI# - 00900885 SSN# - 387112979 DL# - 462AF5893 FBI# - 48667JD1

SIGNATURE OF DELIVERY OFFICER

Jeremy Mootz Dubuque County SO

RECEIVED IN LABORATORY BY:

**Kathleen Kinseth
Evidence Technician**

SPECIAL REQUESTS OR INFORMATION

Submission Comments: Dubuque police investigated a shooting on 12/1/2015 and during that investigation located items #4,6,7,8,9,10,11,12,13,14,15,16,17. On 12/5/2015 Police made a traffic stop and took at into evidence items #1,2,3 and 5. Suspect Shaw told police that Pete did the shooting and used items #1 and 3. Shaw said he did not shoot and had item #2. Please check the functionality of items #1,2,3 and check to see if item #4 was used in item #1 and also check to see if items #6,7,8,9,10,11,12,13,14,15,16 and 17. Also see if items #6,7,8,9,10,11,12,13,15,16 and 17 are the same brand as the box of item #5.

OFFENSES: Firearms - Property Damage

Firearms - Felon in Possession

Item#	Package	Item Description	Item Type	Dept. Item Number	Service Requested
1	Sealed Box	Ruger 9mm handgun Model# 9E serial# 335-55300 with magazine containing 27 rounds.	Firearm	1	FA-C, FA-E, FA-N

DCI - 17 Approved 403 V1.1

2	Sealed Box	Hi-point 9mm Model# C9 serial# p1758713 with magazine containing 8 rounds.	Firearm	2	FA-E, FA-C, FA-N
3	Sealed Box	Taurus 9mm Model# millennium PT 111PRO serial# TEU86882 with magazine containing 11 rounds.	Firearm	3	FA-N, FA-E, FA-C
4	Sealed Paper Bag	Ruger 9mm magazine containing 7 rounds.	Firearm Accessory (Scope, Sling, Magazine)	4	FA-C
5	Sealed Paper Bag	Hornady box with 3 live R&P Ruger 9mm rounds.	Firearm Accessory (Scope, Sling, Magazine)	6	FA-C
6	Sealed Envelope	Bullet fragment found in 611 University, Dubuque Iowa.	Bullet Fragment(s)	6	FA-C
7	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	7	FA-C
8	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	8	FA-C
9	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	10	FA-C
10	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	11	FA-C
11	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	12	FA-C
12	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	13	FA-C
13	Sealed Envelope	9mm W.I.N spent casing.	Cartridge Case(s) Fired	14	FA-C
14	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	15	FA-C
15	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	16	FA-C
16	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	17	FA-C
17	Sealed Envelope	9mm Hornady spent casing.	Cartridge Case(s) Fired	9	

COPY TO BE RETURNED
TO U.S. ATTORNEY'S
OFFICE AT CONCLUSION
OF CASE

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